

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46495 of 2026

Arising Out of PS. Case No.-168 Year-2026 Thana- PIPRAKOTHI District- East Champaran

Meena devi W/o Banarasi Sah R/o Village - Baatganj, PS - Piprakothi,
District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-07-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases under the Excise Act and is a woman and allegation is of recovery of 69 litres of liquor from three different places, out of which, 25 litres of liquor from the house of petitioner.

4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such nothing was recovered from her conscious possession and the house in question is a joint family property as such it cannot be alleged



with certainty that it was petitioner, who had kept the liquor in the house or the liquor kept in the house was within her knowledge and after amendment in the Excise Act in the year 2018, the concept of deemed possession and presumed offender has been done away with and she came to be implicated at the instance of local person but then it is submitted that how the local person would have known who had concealed the liquor in the house.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Piprakothi P.S. Case No.168 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the



event if it is found that petitioner has antecedent of more than two cases, in that event, it would be presumed that petitioner had concealed her antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner has antecedent of two cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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